

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE CONTRACT**

AGENCY: DC Department of Human Resources (DCHR)
CONTRACT NO: CWXXXXXX
CAPTION: DCHR Commuter Benefit Program
PROPOSED CONTRACTOR: Automation Data Processing, Inc. (ADP)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, 1701, and 2005.6(b)

2. MINIMUM NEED:

The District of Columbia Department of Human Resources (DCHR) request the continuation of current services to provide a Commuter Benefit Program for the D.C employees enrolled for such coverage until the new contract is awarded through competitive solicitation.

The period of performance is from September 2, 2014 to September 1, 2015
Option Period: September 2, 2015 to December 31, 2015

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price is \$344,160.00.

The fair and reasonable price is based upon historical billings with a 5 percent increase to accommodate a modest growth rate.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A.** The current contract expires on September 1, 2014, and OCP needs to execute a sole source contract to have sufficient time to complete and award a new competitive contract.
- B.** The District of Columbia's Human Resource department has a continual need to administer a commuter benefit program for approximately 27,000 District employees, in accordance with IRS regulation Section 132(f) (Applicable Document 2). The

current system integration for the processing of eligibility files and electronic fund transfers (EFT) was uniquely designed to facilitate the needs of the Districts' current Human Resources Information System (HRIS) which is currently undergoing a complete overhaul as its partner systems are being upgraded and transitioned.

- C. District of Columbia employees require the services from Automatic Data Processing (ADP), Inc. while the overhaul of HRIS is underway in order to ensure that District employee benefits are paid on time. In addition, the continuity of ADP services will ensure a seamless operation as the upcoming open season begins in early November. With ADP administering and managing employee benefits, it is not anticipated there will be problems with the structural and functional framework required to successfully enroll new participants, as well as maintaining existing participants without interruption of crucial services.
- E. If the District were to award a new contractor at this time there would be an interruption in the benefits paid to enrolled District employees due to the lack of resources required to bring in a new contractor during the integration of our current flat line interface upload process. The employees of the District of Columbia would be without services throughout open season and into 2016 without the services of ADP, Inc., if the current services are interrupted.
- F. ADP has been supplying coverage for the commuter benefit program for the District of Columbia employees since September 2, 2009. The execution of this contract extension is the only option now to ensure uninterrupted coverage of the commuter benefit plans provided to the District's employees. The District requires continuity of the supply of this coverage for its employees until a competitive contract is awarded. No market survey was conducted since ADP is the only vendor capable of continuing these services during this critical time of operation.
- G. Public Notice of OCP's intent to award a sole source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The new posting was submitted to OCP's website on August 11, 2014.

5. CERTIFICATION BY AGENCY DIRECTOR:

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Shawn Stokes, Director
DC Department of Human Resources

Contract No.: CWXXXXXX

Contractor: Automation Data Processing, Inc.

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act (PPRA) of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Shafiq R. Choudhary, CPM, CPPB
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under Section 303, 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the Sole Source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer